

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my
name,

I believe I am an original, first, and joint inventor of the subject matter which is
claimed and for which a patent is sought on the invention entitled **STIMULUS SENSITIVE
GEL WITH RADIOISOTOPE AND METHODS OF MAKING**, the specification of which

☐ is attached hereto.

☒ was filed on 4/10/98 as
Application Serial No. 09/058,712

☐ and was amended on _____
(if applicable)

☐ with amendments through _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-
identified specification, including the claims, as amended by any amendment referred to
above.

I acknowledge the duty to disclose information which is material to the
patentability of this application in accordance with Title 37, Code of Federal Regulations,
Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec.
119 of any foreign application(s) for patent or inventor's certificate listed below and have
also identified below any foreign
application for patent or inventor's certificate having a filing date before that of the
application on which priority is claimed:

☒ no such applications have been filed

☐ such applications have been filed as follows

Prior Foreign Application(s)

Priority
Claimed

NONE

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Douglas E. McKinley, Jr., Registration No. 40,280
Stephen R. May, Registration No. 29,255

Address all correspondence to:

Stephen R. May K1-53
Intellectual Property Services
Battelle Memorial Institute
Pacific Northwest Division
Post Office Box 999
Richland, WA 99352

Direct all phone calls to him at (509) 375-2387

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Richard E. Weller

Inventor's signature Richard E. Weller January 7, 2000
Date

Residence Selah, WA 98942

Citizenship U.S.A.

Post Office address 50 Herlou Place, Selah, WA 98942

Full name of second joint inventor Michael A. Lind

Inventor's signature _____
Date

Residence Kent, WA 98031

Citizenship U.S.A.

Post Office address 12302 S. E. 237th Place, Kent, WA 98031

Full name of third joint inventor Darrell R. Fisher

Inventor's signature

Darrell R. Fisher

November 23, 1999
Date

Residence Richland, WA 99352

Citizenship U.S.A.

Post Office address 229 Saint, Richland, WA 99352

Full name of fourth joint inventor Anna Gutowska

Inventor's signature

Anna Gutowska

Nov. 23, 99
Date

Residence Richland, WA, 99352

Citizenship U.S.A.

Post Office address 450 Mateo Court, Richland, WA 99352

Full name of fifth joint inventor Allison A. Campbell

Inventor's signature

[Signature]

11/11/99
Date

Residence Kennewick, WA 99337

Citizenship U.S.A.

Post Office address 1515 W. 16th Ave., Kennewick, WA 99337

PATENT
File No. E-1507

COMBINED DECLARATION AND POWER OF ATTORNEY
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As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled STIMULUS SENSITIVE GEL WITH RADIOISOTOPE AND METHODS OF MAKING, the specification of which

☐ is attached hereto.

☒ was filed on 4/10/98 as
Application Serial No. 09/058,712

☐ and was amended on _____
(if applicable)

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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☐ such applications have been filed as follows

09853607-051004
FOOTNOTES 20250860

Prior Foreign Application(s)

Priority
Claimed

NONE

<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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NONE

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
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Post Office Box 999
Richland, WA 99352

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00553607 051001

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Inventor's signature _____

Date

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Citizenship U.S.A.

Post Office address 50 Heriou Place, Selah, WA 98942

Full name of second joint inventor Michael A. Lind

Inventor's signature Michael A. Lind

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Inventor's signature _____

Date

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Citizenship U.S.A.

Post Office address 229 Saint, Richland, WA 99352

Full name of fourth joint inventor Anna Gutowska

Inventor's signature _____

Date

Residence Richland, WA, 99352

Citizenship U.S.A.

Post Office address 450 Mateo Court, Richland, WA 99352

Full name of fifth joint inventor Allison A. Campbell

Inventor's signature _____

Date

Residence Kennewick, WA 99337

Citizenship U.S.A.

Post Office address 1515 W. 16th Ave., Kennewick, WA 99337

ASSIGNMENT

Richard E. Weller
Michael A. Lind
Darrell R. Fisher
Anna Gutowska
Allison A. Campbell

to

Battelle Memorial Institute

WHEREAS we, Richard E. Weller, of Selah, in the County of Yakima, and State of Washington; Michael A. Lind of Kent, in the County of _____, and State of Washington; Darrell R. Fisher of Richland, in the County of Benton, and State of Washington; Anna Gutowska of Richland, in the County of Benton, and State of Washington; Allison A. Campbell of Kennewick, in the County of Benton, and State of Washington, have made certain inventions in STIMULUS SENSITIVE GEL WITH RADIOISOTOPE AND METHODS OF MAKING, for which we are about to make application for Letters Patent of the United States; and

WHEREAS Battelle Memorial Institute, a corporation of Ohio, organized and existing under the laws of the State of Ohio, and having a place of business in the City of Richland, Washington, is desirous of acquiring an interest in the said invention and in any patent or patents to be obtained therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that, for and in consideration of the sum of One Dollar (\$1.00) each, and other good and valuable considerations, the receipt of which is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto the said Battelle Memorial Institute, the entire right, title, and interest in and to the invention shown, described, or claimed therein, and the full and exclusive right and title to the said application, executed by us on the ~~7th~~ day of April, 1998, preparatory to obtaining Letters Patent of the United States therefor; and in and to any extensions, reissues, divisions, or renewals thereof; and we do hereby authorize and request the Commissioner of Patents or other proper Officer, to issue such Letters Patent, or any of them, to the said Battelle Memorial Institute, as the assignee of our entire right, title, and interest in and to the same for the sole use and benefit of the said Battelle Memorial Institute, and its successors or assigns.

And we further covenant and agree that we will, at the request and expense of the said Battelle Memorial Institute, execute such other and further assurances of title as may be necessary or proper to fully convey the interest herein sought to be conveyed; that we will, at the request and expense of the said Battelle Memorial Institute, execute such application papers as may be desired by the said Battelle Memorial Institute, for the filing of any division or renewal of the application herein conveyed, or for reissues or extensions, of any Letters Patent that may be granted upon said application, and will execute such Supplemental Oaths and Preliminary Statements, or other papers as desired by the said Battelle Memorial Institute.

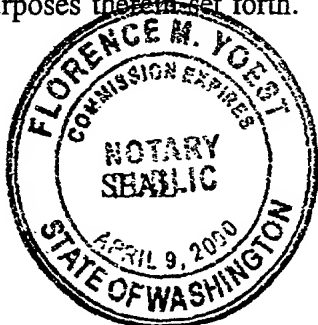
And we further assign unto the said Battelle Memorial Institute, the whole right, title, and interest to the invention disclosed in the application throughout all countries foreign to the United States, and do hereby authorize the said Battelle Memorial Institute to apply for patents therefor in its own name in countries where such procedure is proper and to claim the benefit of the International Convention and do agree to execute applications for the said invention in the several countries where it is necessary that the same be executed by the inventors, and to execute assignments of such applications and the patents to be obtained therefor to the said Battelle Memorial Institute, the assignee herein, as well as all other necessary papers.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal at Richland, Washington, this 7th day of April, 1998.

Richard E. Weller
Richard E. Weller

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

This 7th day of April, 1998, before me a Notary Public in and for the County aforesaid, personally appeared **Richard E. Weller**, personally known to me and known to be the person described in and who executed the foregoing assignment and acknowledged the same to be his voluntary act and deed, and that he executed the same for the uses and purposes therein set forth.



Florence M. Yoest
Ha-M. Metcalf Florence M. YOEST
Notary Public
Commission Expires 12/20/98
04/09/00

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this _____ day of April, 1998.

Michael A. Lind

STATE OF WASHINGTON)
) ss.
COUNTY OF)

This _____ day of April, 1998, before me a Notary Public in and for the County
aforesaid, personally appeared **Michael A. Lind**, personally known to me and known to be
the person described in and who executed the foregoing assignment and acknowledged the
same to be his voluntary act and deed, and that he executed the same for the uses and
purposes therein set forth.

SEAL

Notary Public
Commission Expires

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 3rd day of April, 1998.

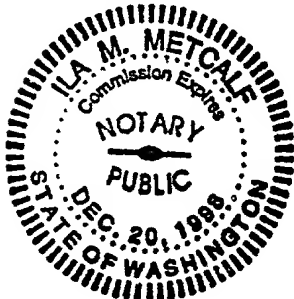
Darrell R. Fisher
Darrell R. Fisher

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

This 3rd day of April, 1998, before me a Notary Public in and for the County
aforesaid, personally appeared **Darrell R. Fisher**, personally known to me and known to be
the person described in and who executed the foregoing assignment and acknowledged the
same to be his voluntary act and deed, and that he executed the same for the uses and
purposes therein set forth.

SEAL

Ila M. Metcalf
Ila M. Metcalf
Notary Public
Commission Expires 12/20/98



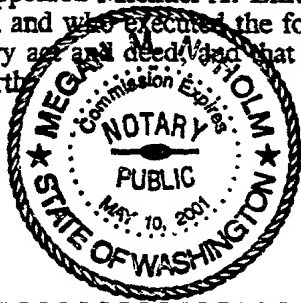
Seattle IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 6th day of April, 1998.

Michael A. Lind
Michael A. Lind

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

This 6th day of April, 1998, before me a Notary Public in and for the County
aforesaid, personally appeared Michael A. Lind, personally known to me and known to be
the person described in and who executed the foregoing assignment and acknowledged the
same to be his voluntary act and deed, and that he executed the same for the uses and
purposes therein set forth.

SEAL



Megan M. Metcalf
Notary Public
Commission Expires May 10, 2001

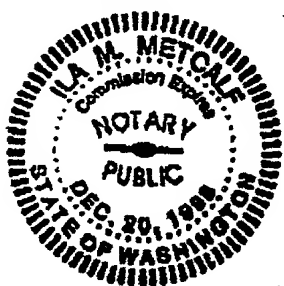
IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 3rd day of April, 1998.

Darrell R. Fisher
Darrell R. Fisher

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

This 3rd day of April, 1998, before me a Notary Public in and for the County
aforesaid, personally appeared Darrell R. Fisher, personally known to me and known to be
the person described in and who executed the foregoing assignment and acknowledged the
same to be his voluntary act and deed, and that he executed the same for the uses and
purposes therein set forth.

SEAL

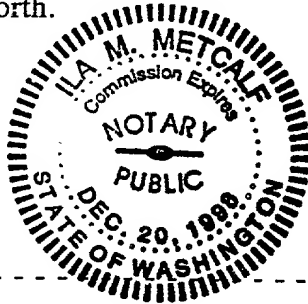


Ila M. Metcalf
Ila M. Metcalf
Notary Public
Commission Expires 12/20/98

Demographic Data		Clinical Data		Outcome Data	
Variable	Value	Variable	Value	Variable	Value
Age (mean)	65.2	Gender (Male/Female)	45/35	Survival at 1 year (%)	78
Gender (Male/Female)	45/35	Stage at diagnosis	I/II/III/IV	Survival at 2 years (%)	65
Stage at diagnosis	I/II/III/IV	Response to treatment (%)	85	Survival at 5 years (%)	42
Response to treatment (%)	85	Time to progression (months)	18.5	Quality of life score	72
Time to progression (months)	18.5	Adverse events (Grade 3/4)	15/10		
Adverse events (Grade 3/4)	15/10				

STATE OF WASHINGTON)
COUNTY OF BENTON) ss.

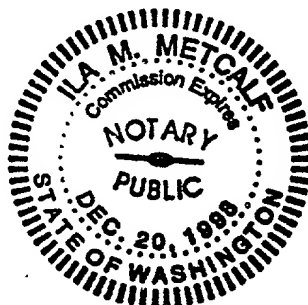
SEAL




Allison A. Campbell

STATE OF WASHINGTON)) ss.
COUNTY OF BENTON)

SEAL



Ila M. Metcalf
Ila M. Metcalf
Notary Public
Commission Expires 12/20/98